



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

RAS Citron, LLC

Authorized Agent for Secured Creditor
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In Re:

Daniel K Holt,

Debtor,

Sandee E Larsen,

Joint Debtor.

Order Filed on March 11, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 18-34290-MBK

Chapter: 13

Hearing Date: February 26, 2020

Judge: Michael B. Kaplan

**ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF FROM THE
AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: March 11, 2020

A handwritten signature in black ink, appearing to read "Michael B. Kaplan".
Honorable Michael B. Kaplan
United States Bankruptcy Judge

Page 2

Secured Creditor: LoanCare, LLC

Secured Creditor's Counsel: RAS Citron, LLC

Debtors' Counsel: Lee Martin Perlman, Esq.

Property Involved ("Collateral"): 882 Derry Drive, Toms River, New Jersey 08753

Relief sought: ■ Motion for relief from the automatic stay

For good cause shown, it is **ORDERED** that Secured Creditor's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtor is overdue for 4 months from November 1, 2019 through February 1, 2020.
- The Debtor is overdue for 2 payments from November 1, 2019 to December 1, 2019 at \$1,775.29 per month.
- The Debtor is overdue for 2 payments from January 1, 2020 to February 1, 2020 at \$1,803.14 per month.

Funds Held In Suspense \$54.69

Total Arrearages Due \$7,102.17

2. Debtor must cure all post-petition arrearages, as follows:

- Beginning on March 1, 2020, regular monthly mortgage payments shall continue to be made in the amount of \$1,803.14, subject to periodic adjustments.
- The amount of \$7,102.17 shall be capitalized in the Debtor's Chapter 13 plan. Debtor must file an Amended Schedules I and J within fifteen (15) days of the entry of this Order. The debtor's monthly payment to the Chapter 13 Trustee will be modified to an amount necessary to appropriately fund the plan in accordance with this order
- This Order is incorporated into any Order confirming the plan. The Trustee is to pay the arrears identified in this Order.

3. Payments to the Secured Creditor shall be made to the following address(es):

■ Regular monthly payment: LoanCare LLC
ATTN: Bankruptcy Dept
P.O. Box 8068
Virginia Beach, VA 23450

4. In the event of Default:

■ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Consent Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

5. Award of Attorneys' Fees:

■ The Applicant is awarded attorney fees of \$350.00 and costs of \$181.00.

The fees and costs are payable:

■ Through the Chapter 13 plan.